

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	HON. KATHARINE S. HAYDEN
	:	
	:	
v.	:	Crim. No. 04-188 (KSH)
	:	
	:	
BARRY TURNER <i>et al.</i>	:	<u>ORDER</u>

This matter having come before the Court on the motion of United States of America by Christopher J. Christie, United States Attorney for the District of New Jersey (Phillip H. Kwon and Nelson S.T. Thayer, Jr., Assistant U.S. Attorneys, appearing), for an order revoking the bail of and detaining defendant Barry Turner (John Tiffany, Esq., appearing) pending trial, pursuant to 18 U.S.C. § 3142; and whereas on or about March 21, 2005, this Court issued an arrest warrant for defendant Barry Turner based on his failure, inter alia, to appear for court hearings and to report to Pretrial Services as required; and whereas this Court finds that his noncompliance with the terms of pretrial release creates a risk of nonappearance for future court proceedings; and whereas defendant Barry Turner has been incarcerated since March 2005 by New York State authorities on separate charges; and whereas the Court is cognizant of the necessity to return defendant Barry Turner to the custody of the New York State authorities at the appropriate time; and for good cause shown;

IT IS on this 28<sup>th</sup> day of April, 2005;

ORDERED that the prior order releasing defendant Barry Turner pending trial in this matter is hereby revoked; and it is further

ORDERED, pursuant to 18 U.S.C. § 3142, that defendant Barry Turner be committed to the custody of the Attorney General or his authorized representative pending trial; and it is further

ORDERED, pursuant to 18 U.S.C. § 3142(i), that defendant Barry Turner be confined, to the extent practicable, in a corrections facility separate from persons awaiting or serving sentences or being held in custody pending appeal; and it is further

ORDERED, pursuant to 18 U.S.C. § 3142(i)(3), that the defendant be given a reasonable opportunity for private consultation with counsel; and it is further

ORDERED, pursuant to 18 U.S.C. § 3142(i)(4), that upon Order of this or any other Court of the United States of competent jurisdiction, or upon the request of an attorney for the United States, the defendant shall be delivered to a United States Marshal for appearances in connection with proceedings in this case; and it is further

ORDERED that a hearing is scheduled in this matter for May 20, 2005 at 9:00 a.m.; and it is further

ORDERED that defendant Barry Turner remain in the custody of

the Attorney General of the United States or his authorized representative until further order of the Court, at which time defendant Barry Turner shall be returned to the custody of New York State authorities.

/s/ Katharine S. Hayden

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HON. KATHARINE S. HAYDEN  
UNITED STATES DISTRICT JUDGE